

1 PHILLIP A. TALBERT  
United States Attorney  
2 ALEXANDRE DEMPSEY  
Assistant United States Attorney  
3 2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
4 Telephone: (559) 497-4000  
Facsimile: (559) 497-4099  
5 Attorneys for Plaintiff  
6 United States of America  
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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 MICHAEL MARCUM,  
15 Defendant.

CASE NO. 1:22-CR-00164-ADA-BAM  
  
PRELIMINARY ORDER OF  
FORFEITURE

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17 Based upon the plea agreement entered into between the United States of America and defendant  
18 Michael Marcum, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), defendant Michael Marcum's  
20 interest in the following property shall be condemned and forfeited to the United States of America, to be  
21 disposed of according to law:

- 22 a. a semiautomatic handgun with black frame and teal slide that did not have a visible  
23 serial number, and  
24 b. 9mm caliber ammunition.

25 2. The above-listed property constitutes firearms and ammunition involved in or used in a  
26 knowing violation of 18 U.S.C. § 922(g)(1).

27 3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize  
28 the above-listed property. The aforementioned property shall be seized and held by the U.S. Postal

1 Inspection Service, in their secure custody and control.


2 4. a. Pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(n), and Local Rule  
3 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of  
4 the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney  
5 General may direct shall be posted for at least thirty (30) consecutive days on the official internet  
6 government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable,  
7 provide direct written notice to any person known to have alleged an interest in the property that is the  
8 subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

9 b. This notice shall state that any person, other than the defendant, asserting a legal  
10 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the  
11 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or  
12 within thirty (30) days from receipt of direct written notice, whichever is earlier.

13 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court  
14 will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), in  
15 which all interests will be addressed.

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18 IT IS SO ORDERED.

19 Dated: November 18, 2022

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22 UNITED STATES DISTRICT JUDGE  
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